

KAV 5118

Temp. State Dept. No. 98-40

ANTIGUA AND BARBUDA

Employment of dependents of official government employees

Agreement relating to the employment of dependents of official government employees. Effected by exchange of notes at Bridgetown and St. John's Dec. 23, 1997 and Jan. 27, 1998. Entered into force Jan. 27, 1998.

No. 129

The Embassy of the United States of America in Barbados proposes to the Ministry of Foreign Affairs of Antigua and Barbuda that, on a reciprocal basis, dependents of United States employees accredited to the Government of Antigua and Barbuda, and dependents of employees of the Antiguan government assigned to official duty in the United States be authorized to be employed in the receiving state. For the purposes of this agreement, "dependents" shall mean:

- spouses;
- unmarried dependent children under 21 years of age;
- unmarried dependent children under 23 years of age who are in full-time attendance as students at a post-secondary educational institution; and
- unmarried children who are physically or mentally disabled.

For the purposes of this agreement, official employees shall mean diplomatic agents, consular officers, and members of support staffs, assigned to, or in the case of U.S. Personnel, accredited as members of, diplomatic missions, consular offices and missions to international organizations.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of Antigua in Washington to the State Department, or by the Antiguan Mission to the United Nations to the United States Mission to the United Nations (USUN). After the processing of the official request, the Antiguan Embassy or Mission will be informed that the dependent may accept employment.

In the case of dependents who seek employment in Antigua, the request shall be made by the U.S. Embassy in Barbados to the Antiguan Ministry of Foreign Affairs. After the processing of the official request, the U.S. Embassy will be informed that the dependent may accept employment.

The United States Government and the Antiguan Government wish to confirm their understanding that dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving state in accordance with the Vienna Convention on diplomatic relations or the convention on the privileges and immunities of the United Nations, or any other applicable international agreement, have no immunity from civil or administrative jurisdiction with respect to matters arising out of such employment. Such dependents are also responsible for payment of income and social security tax on any remuneration received as a result of employment in the receiving state. Dependents continue to enjoy all other privileges and immunities to which they are entitled.

The Embassy of the United States of America further proposes that, if these provisions are acceptable to the government of Antigua and Barbuda, this note and the Government of Antigua's reply concurring therein shall constitute an agreement between the two governments which shall enter into force on the date of that reply note and shall remain in force until ninety days after the date of the written notification from either government to the other of intention to terminate.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry the assurances of its highest consideration.

Embassy of the United States of America,

Bridgetown, December 23, 1997



Ministry of Foreign Affairs

GOVERNMENT OF ANTIGUA AND BARBUDA

24/98

The Ministry of Foreign Affairs of Antigua and Barbuda presents its compliments to the Embassy of the United States and has the honour to inform that the Government of Antigua and Barbuda has decided to accept the proposed agreement that will allow, on a reciprocal basis, dependents of United States employees accredited to the Government of Antigua and Barbuda assigned to official duty in the United States, be authorised for employment in the receiving State.

The Ministry of Foreign Affairs of Antigua and Barbuda wishes to submit for the kind consideration of United States Embassy in Barbados the attached list of editorial corrections which do not change the substance of the agreement but improve the readability of the text.

The Ministry of Foreign Affairs of Antigua and Barbuda concurs with the understanding that this reply concludes the aforementioned agreement between the Governments of Antigua and Barbuda and the United States, which shall enter into force on the date given below and shall remain in force until ninety days after the date of the written notification from either Government to the other of intention to terminate.



Ministry of Foreign Affairs

St. John's

January 27, 1998

List of Proposed Editorial Corrections (in bold)

Paragraph 1 should read:

The Embassy of the United States of America in Barbados proposes to the Ministry of Foreign Affairs of Antigua and Barbuda that, on a reciprocal basis, dependents of United States employees accredited to the Government of Antigua and Barbuda, and dependents of employees of the Government of Antigua and Barbuda assigned to official duty in the United States be authorised to be employed in the receiving State.

Paragraph 3 should read:

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of Antigua and Barbuda in Washington to the State Department, or by the Permanent Mission of Antigua and Barbuda to the United Nations to the United States Mission to the United Nations (USUN). After processing of the official request, the Embassy or Permanent Mission of Antigua and Barbuda will be informed that the dependent(s) may accept employment.

Paragraph 4 should read:

In the case of dependents who seek employment in Antigua, the request shall be made by the U.S. Embassy in Barbados to the Ministry of Foreign Affairs of Antigua and Barbuda. After processing of the official request, the U.S. Embassy will be informed that the dependent(s) may accept employment.

The first line of Paragraph 5 should read:

The Government of the United States and the Government of Antigua and Barbuda...
(the rest of the text remains unchanged)

Paragraph 6 should read:

The Embassy of the United States of America in Barbados further proposes that, if these provisions are acceptable to the Government of Antigua and Barbuda, this note and the Ministry of Foreign Affairs of Antigua and Barbuda's reply concurring therein shall constitute an agreement between the two Governments which shall enter into force on the date of that reply note and shall remain in force until ninety days after the date of the written notification from either Government to the other of intention to terminate

